

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Luke J. Mawst, *et al.*
Title: TYPE II QUANTUM WELL
MID-INFRARED
OPTOELECTRONIC DEVICES
Appl. No.: 10/772,573
Filing Date: 2/5/2004
Examiner: Thomas L. Dickey
Art Unit: 2826
Confirmation Number: 2253

AMENDMENT AND REPLY UNDER 37 CFR 1.116

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is in reply to the Final Office Action mailed on November 24, 2006. The initial deadline for responding to the Office Action expires on February 24, 2007. Therefore, Applicants believe that this response is timely filed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under

37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-2350.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this document.

Remarks/Arguments begin on page 11 of this document.

Please amend the application as follows: